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COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

AT RICHMOND, August 16, 2001

JOINT APPLICATION OF

MARSHALL WATER WORKS, INC.

and

MARSHALL WATER WORKS II, INC.

CASE NO. PUE010428

To cancel certain certificates  
of public convenience and necessity  
held by Marshall Water Works, Inc.

ORDER

On May 2, 2001, Marshall Water Works, Inc. ("Marshall I"), and Marshall Water Works II, Inc. ("Marshall II") (collectively, the "Applicants"), filed a joint application requesting, pursuant to § 56-265.3 of the Code of Virginia (the "Code"), a certificate of public convenience and necessity for Marshall II to provide water service to the residents of Marshall, Virginia, after the proposed transfer of water facility assets from Marshall I to Marshall II. Marshall II proposed that its rates, rules, and regulations of service be the same as those currently approved for Marshall I. On May 4, 2001, the Applicants, filed a joint application requesting authority pursuant to the Utility Transfers Act, Chapter 5 of Title 56, § 56-88 through 56-92, of the Code, for Marshall I to dispose of its water facility assets

and for Marshall II to acquire such assets. These applications were docketed as Case No. PUE010246.

On July 7, 2001, the Commission issued an Order in Case No. PUE010246 granting Marshall I the authority to dispose of the assets of its water system and granting Marshall II the authority to acquire from Marshall I the assets of its water system. We further cancelled Marshall I's certificate of public convenience and necessity, Certificate No. W-262. We then issued to Marshall II a certificate of public convenience and necessity, Certificate No. W-309, to provide water service to the residents of Marshall, Virginia. Certificate No. W-309 covers all authorized service territory that had been held by Marshall I.

It has since come to the Commission's attention that Marshall I holds several certificates of public convenience and necessity that must be cancelled in light of the approved transfer of Marshall I's assets to Marshall II, and the issuance of Certificate No. W-309. The certificates held by Marshall I that must be cancelled include: Certificate No. W-44 to provide service in the general territory around Marshall, Virginia; Certificate No. W-248 to locate Owens Well # 1 and Owens Well # 2 on Lot 4, the English Chase Subdivision, Marshall Magisterial District, Fauquier County, Virginia; and Certificate

No. W-257 to acquire the area in Fauquier County, Virginia identified as Well Site No. 1.

NOW THE COMMISSION, having considered the matter, and is of the opinion and finds that the above-referenced certificates should be cancelled.

Accordingly, IT IS ORDERED THAT:

(1) Marshall Water Works, Inc.'s Certificate of Public Convenience and Necessity No. W-44 is hereby canceled.

(2) Marshall Water Works, Inc.'s Certificate of Public Convenience and Necessity No. W-248 is hereby canceled.

(3) Marshall Water Works, Inc.'s Certificate of Public Convenience and Necessity No. W-257 is hereby canceled.

(4) There being nothing further to be done, this matter is hereby dismissed from the Commission's docket of active cases.